

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
Case No. 3:21-CV-069-RJC-DCK**

CBD INDUSTRIES, LLC

Plaintiff and Counterclaim
Defendant,

v.

MAJIK MEDICINE, LLC

Defendant, Counterclaimant
and Third-Party
Plaintiff,

v.

cbdMD, Inc.

Third-Party Defendant.

**DECLARATION IN SUPPORT OF
BRIEF IN SUPPORT OF MOTION TO
DISMISS**

DECLARATION OF ANDREW C. STEVENS

COMES NOW, Andrew C. Stevens who swears, under penalty of perjury, that the foregoing is true and correct.

1. I, Andrew C. Stevens, serve as outside counsel of record in the above-referenced proceeding to CBD Industries, LLC and cbdMD, Inc.

2. A true and correct copy of the United States Patent and Trademark Office's July 14, 2016 Office Action Outgoing is attached hereto as **Exhibit 1**. CBD Industries, LLC and cbdMD, Inc. ask that the Court take judicial notice of **Exhibit 1** hereto under FRE 201.

Executed this 30th day of September, 2021.

A handwritten signature in dark ink, reading "Andrew C. Stevens". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Andrew C. Stevens, Esq.